

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

**ISRAEL GARCIA AND IRENE
GARCIA
Plaintiffs**

v.

**WELLINGTON RISK INSURANCE
AGENCY, INC.
Defendant**

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CIVIL ACTION NO. 7:15-cv-00449

AGREED STIPULATION OF DISMISSAL FOR PLAINTIFFS

Plaintiffs, Israel Garcia and Irene Garcia, Defendant, Wellington Risk Insurance Agency, Inc., and Defendant/Intervenor, Pillar Insurance Company file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiffs are Israel Garcia and Irene Garcia, Defendant is Wellington Risk Insurance Agency, Inc., and Defendant/Intervenor, Pillar Insurance Company.

2. On June 19, 2015, Plaintiffs sued Defendant in the 275th District Court, Hidalgo County, Texas, Cause No. C-2555-15-E. On July 20, 2015 Wellington Risk Insurance Agency, Inc. filed its Original Answer. On October 26, 2015, Pillar Insurance Company filed its Notice of Removal.

3. On or about December 18, 2015, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiffs now move to dismiss the suit against All Defendants.

4. Defendant agrees to the dismissal.

5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiffs have not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.

9. This dismissal is with prejudice.

Respectfully submitted

By: /s/Thomas F. Nye

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**COUNSEL FOR PLAINTIFFS,
ISRAEL GARCIA AND IRENE GARCIA**
**Signed with permission*

CERTIFICATE OF SERVICE

I certify that on February 18, 2016, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiffs, Israel Garcia and Irene Garcia, via electronic filing or regular mail:

Rodolfo Canche, Jr.
Law Office of Rodolfo Canche, Jr.
Email: rudycanche@canchelaw.com

VIA E-FILING

/s/Thomas F. Nye
Thomas F. Nye